

Preamble

Pupils' Rights

All pupils have the right to expect to be treated fairly, consistently and with respect. They should be able to learn and to be educated in a relatively disruption-free environment, safe from bullying and abuse. Pupils should have the expectation that their individual differences will be recognised and acknowledged, and provision made for them.

Pupils have the right to be listened to, and to question, at appropriate times. As learners, they should be allowed to make mistakes and to learn from them. They should have confidence that their positive behaviour will be affirmed and that misbehaviour will be dealt with appropriately. ('Towards Positive Behaviour in Primary Schools' INTO Publication)

Rights of Teachers, SNAs and other school staff

Teachers, SNAs and school staff, like all workers, have the right to be treated with respect and dignity. They should be able to work in a safe, well-mannered, physical environment, relatively free from disruption. They have the right to the support and co-operation of teaching colleagues, other school staff and parents in order to achieve the school's aims and objectives. ('Towards Positive Behaviour in Primary Schools' INTO Publication)

Principles

The school recognises and celebrates the variety of differences that exist between children and its duty to cater for these differences as facilities and expertise allow. It is agreed that a high standard of behaviour requires a strong sense of community within the school and a high level of co-operation among staff and between staff, parents and pupils. Every effort will be made to ensure that the code of behaviour is implemented in a reasonable, fair and consistent manner.

The aims of the Code of Behaviour of our school are:

- To develop pupils' self-esteem and to promote positive behaviour.
- To foster the development of a sense of responsibility and self-discipline in pupils based on respect, consideration and tolerance of others.
- To facilitate the education and development of every child.
- To foster caring attitudes to one another and to the environment.
- To provide guidance for pupils, teachers and parents on behavioural expectations.
- To provide for the effective and safe operation of the school.

School Rules

School rules are devised with regard for the health, safety and welfare of all members of the school community. If a school is to function efficiently, it is necessary that rules and regulations are clearly stated and enforced consistently and fairly.

Teachers' Responsibilities

- Support and implement the school's code of behaviour.
- Be courteous, consistent and fair.
- Promote positive behaviour.
- Re-inforce classroom rules and yard rules
- Deal appropriately with misbehaviour.
- Keep a record of instances of serious misbehaviour or repeated instances of gross breaches of discipline. *Class Behaviour Books*
- Provide support for colleagues.
- Communicate with parents when necessary and provide reports on matters of mutual concern.

Principal's Responsibilities

- Promote a positive climate in the school.
- Ensure that the Code of Behaviour is implemented in a fair and consistent manner
- Arrange for review of the Code periodically, as required.

Board of Management's Responsibilities

- Provide a comfortable and safe working environment.
- Support the Principal and staff in implementing the code.
- Ratify the code and see that it is reviewed at least once in the Board's term of office (four years).

Before/After School

Parents are reminded that the staff of the school does not accept responsibility for pupils inside the school railings before official opening time of 8.45 a.m. or after the official closing time of 2.40 pm except where pupils are engaged in an extra-curricular activity organised by the school. Pupils involved in such activities are expected to behave in accordance with the school behaviour policy while engaged in such activities.

Implementation of the Code of Behaviour

Every member of the school community has a role to play in the implementation of the Code of Behaviour. Rules will be kept to a minimum and emphasise positive behaviour. They will be applied in a fair and consistent manner, with due regard to the age of the pupils and to individual differences. Good behaviour will be

encouraged and rewarded. Where difficulties arise, parents will be contacted at an early stage.

Affirming Positive Behaviour

Positive reinforcement of good behaviour leads to better self-discipline and we place a greater emphasis on rewards and incentives than on sanctions.

General Strategies and Incentives when dealing with pupils include

- An encouraging word or gesture to show approval.
- A positive comment on a child's class work
- A visit to another class or Principal for commendation.
- Praise in front of class group.
- Individual class merit awards, points awards or award stamps, at the discretion of the class teacher.
- Noting down positive behaviour observed on the yard in class 'Yard book'. The teacher on yard then communicates the positive behaviour observed to the class teacher
- Whole class strategy of grading: This self-assessment tool encourages the class to look at aspects of their behaviour that need to be improved, focussing on what behaviours they must show to achieve their targeted goal. At different times the class are graded from 1-10 on their progress with whole class goals.
- Delegating some special responsibility or privilege.
- Written or verbal communication with parent.

Supporting Pupil's displaying challenging behaviour

The school endeavours to provide intervention for those pupils displaying challenging behaviour in school. In the first instance this can be done through creating positive home/school links and problem solving with parents/guardians to find positive outcomes/solutions. Staff will always seek to investigate whether there is an antecedent to challenging behaviour and whether a specific intervention could be put in place to prevent the undesirable behaviour e.g. use of movement breaks, designated staff mentor to check in with pupils, allocation of specific job/role for the pupil to carry out each day.

Positive Behaviour Charts are another interventional tool that will be used regularly. These charts will target specific behaviours and will give the children achievable targets in relation to their behaviour. They will require the input from parents/guardians.

Designated Behaviour Support. Some pupils will benefit from targeted intervention with a behaviour support teacher. This teacher will work through a programme of work with a pupil, utilising strategies and resources from a range of sources (SESS: Dealing with Challenging Behaviour course, Weaving Well Being).

Provision of this support is contingent on their being time available from the school's support timetable to cater for emerging behaviour needs.

Procedures

Where there has been a breach of discipline, the degree of severity will be assessed by the teacher in the first instance and will be dealt with at class level. When appropriate, the Principal or Deputy Principal will be informed and will assist in dealing with the incident. The assessment of the seriousness of the misdemeanour i.e. minor, serious or gross, will be judged by the teachers and/or Principal or Deputy Principal based on a common sense approach with regard to the gravity of the misdemeanour, the circumstances of the incident and the context.

Investigative procedures

- The child will be interviewed by the class teacher in the first instance. The teacher may implement the sanctions listed below.
- Where the offence is considered to be of a sufficiently serious nature, the pupil(s) will be interviewed by the Principal or Deputy Principal. The pupils' parents will be informed and will be invited to have a discussion around the incident with a view towards finding a resolution and responding to the behaviour appropriately.

Procedures to be followed by teachers and sanctions to be imposed when dealing with minor breaches of discipline:

- Verbal reprimand and reasoning with pupil;
- Where the incident relates to behaviour in the yard, noting instance of yard misbehaviour in yard book.
- Temporary separation from peers if and when appropriate, use of 'time out' in class
- Pupil will meet with the 'Block Manager' (most senior teacher in the teaching block) to discuss how behaviour can be improved going forward
- Note to be signed by parent/guardian;
- Class teacher communicates with one or both parents or guardians;
- Where the misbehaviour persists, teacher will contact the parents concerning the persistent misbehaviour requesting parental involvement in encouraging the child to abide by and adhere to the rules of the school;
- Decision to implement an age appropriate behaviour chart for the pupil, targeting specific behaviours of concern
- Principal or Deputy-Principal may meet one/both parents concerning behaviour;

Examples of serious breaches of discipline (See Appendix A, page 2)

- Repeated minor breaches of discipline *may* be considered to be a serious breach of discipline
- Bullying (*see Anti-Bullying Policy on school website and note below*)
- Regularly being disruptive in class

- Stealing or damaging other pupil's property
- Leaving the school premises during school day without permission of the Teacher, Deputy Principal or Principal;
- Endangering self or fellow pupils in the school environs
- Using inappropriate language which is offensive
- Bringing weapons, drugs or alcohol to school
- Any action that is physically or verbally injurious to another member of the school community including the dissemination of any material that could be offensive to a member of the school community.

Bullying

(See Anti-Bullying Policy for detailed description)

Bullying is repeated verbal, psychological or physical aggression by an individual or group against others. The most common forms of bullying are aggressive physical contact, name-calling, cyber-bullying, intimidation, extortion, isolation and taunting. Bullying will not be tolerated and parents will be expected to cooperate with the school at all times in dealing with instances of bullying in accordance with the school's Anti-Bullying Policy. Reports of bullying will be investigated thoroughly and parents will be informed and consulted with at the earliest opportunity. Parents will be expected to assist in investigations and to work with the school towards a solution in cases of suspected or proven bullying. The degree and nature of the bullying will be assessed and acted upon in line with the procedures outlined above.

Procedures to be followed when dealing with serious breaches of discipline:

1. An Incident Report Form will be completed by the pupil's teacher or supervising teacher
2. Pupil is to be sent to Deputy Principal or Principal to discuss the incident that has occurred.
3. Parents invited to the school to discuss the incident. In cases where the parents cannot attend, the Deputy Principal/Principal communicates by telephone or in writing with the parents alerting them of the offence.
4. The child will be asked to commit to not engage in any similar behaviour in the future that may cause offence or injury to another member of the school community.
5. In cases of bullying, the pupil will be asked to apologise to the 'victim' and to refrain from the activity that has caused upset. The pupil will be alerted that they have been placed on 'Step 1' of the Bullying policy and will be made aware of the consequences of reoffending.
6. In cases where the behaviour is deemed to be of a more serious nature, the school may impose a sanction of 'Separation from Peers'. Here the child will be placed in the care of another teacher in the same stream and will attend class as normal in a classroom other than his own. Parents will be notified of the imposition of such sanction. Alternatively if serious breach of school's code of behaviour is related to behaviour in the yard, the pupil may be removed from the yard for a specified period of time. *In general, pupils will not be deprived of*

engagement in a Curricular Area, except on the grounds of health and safety to pupils and staff.

7. Where the child's presence in another class other than his own is thought not to be appropriate, the pupil may be placed in the care and under the supervision of the Deputy Principal or Principal and assigned appropriate work by the class teacher to be completed over the course of the school day. The maximum period of such 'Separation from Peers' will be two days. This consequence is reserved for occasions where the child's presence in class is detrimental to the education or well-being of others.
8. Where serious breaches of behaviour have occurred and continue to occur, the school may devise an 'Individual Behaviour Plan' (See Appendix D) that includes steps to be adhered to in order to prevent the re-occurrence of the misdemeanours.
9. The Principal will report to the Board at each Board meeting any serious breaches of discipline that have occurred since the last meeting. The identity of the children involved will be protected as far as possible.
10. Where necessary, the Chairperson of Board of Management will be informed of the incident and parents will be requested to meet with the Principal to discuss the behaviour and how to ensure good behaviour in the future.

Gross Breaches of Discipline (See Appendix A, page 2)

- Repeated occurrence of serious breaches of discipline will be considered to be gross breaches of discipline;
- Wilfully causing serious damage to school property or buildings;
- Aggressive, threatening or violent behaviour towards a teacher/pupil or any member of the school community.
- Any behaviour that is a persistent cause of significant disruption to the learning of others or to the teaching process.
(It should be noted that these lists consist of examples only. Other actions not listed above may be classed as gross misdemeanours.)

Procedures to be followed when dealing with gross breaches of discipline:

All incidents of gross breaches of discipline will be thoroughly investigated using the investigative procedures listed on page 4 above, and may lead to suspension or expulsion. If so, see 'Procedures in Respect of Suspension' and 'Procedures in Respect of Expulsion' below.

Suspension & Expulsion

Preamble

The Education Welfare Act accepts the right of the Board to take reasonable measures to "ensure the good order and discipline are maintained in the school and that the safety of pupils (and staff) is secured." **The Board of Management's duty of**

care extends to all pupils and staff and includes providing a safe environment for all staff and pupils.

In the case of gross misbehaviour, the Board has authorised the Principal or Chairperson to sanction an immediate suspension pending a discussion of the matter with the parent(s) or guardian(s). The sanction of Suspension or Expulsion will be applied in accordance with the Rules for National Schools and the Education Welfare Act 2000.

In accordance with the revised practice of Boards of Management, the Principal will report any and all serious and gross breaches of discipline to the school Board of Management at scheduled Board meetings.

Where a pupil has been suspended and has repeatedly re-offended, the Board reserves the right to expel the pupil from the school. Expulsion will be considered in an extreme case in accordance with legislation, due process and fairness procedures.

The procedures for imposing Suspension and Expulsion as outlined in full in the publication 'Developing a Code of Behaviour: Guidelines for School' NEWB 2008 will be adhered to. What follows serves as a summary.

Fair Procedures

Schools are required by law to follow fair procedures when proposing to suspend or expel a pupil. *Fair procedures have two essential parts: The right to be heard, and the right to impartiality.*

The Right to be Heard means:

- *The right to know that the alleged misbehaviour is being investigated;*
- *The right to know the details of the allegations being made and any other information that will be taken into account;*
- *The right to know how the issue will be decided;*
- *The right to respond to allegations;*
- *Where the possible sanction is of a serious nature, the right to be heard by the decision-making body;*
- *Where the possible sanction is of a serious nature, the right to ask questions of the other party or witnesses where there is a dispute about the facts.*

The Right to Impartiality means:

- *The right to an absence of bias in the decision-making process;*
- *The right to impartiality in the investigation and the decision making.*

Applying Fair Procedures in the School:

In school, fair procedures apply to the investigation of alleged misbehaviour that may lead to suspension or expulsion and the process of decision making as to whether the pupil did engage in the misbehaviour and in what sanction to impose.

The principle of impartiality in decision making means that it is preferable that, where possible, the Principal arranges for another member or members of staff to conduct the investigation and to present a full report on the facts of the case and any other relevant information to the Principal. The Principal is then free to take a view whether the child did engage in the behaviour and about the sanction, based on the report of the investigation. It is incumbent on the Principal to ensure that the investigation has been fully and fairly conducted.

In circumstances of particular difficulty, school authorities may need to seek legal advice to support their decision making. (NEWB Guidelines Page 66, 67)

Suspension is defined as requiring the pupil to absent himself/herself from the school for a specified, limited period of school days. Exclusion of a pupil for part of the school day, as a sanction, or asking parents to keep a child from school, as a sanction, is a suspension. Any exclusion imposed by the school is a suspension and will follow the NEWB Guidelines relating to suspension listed on page 74.

Suspension as part of a behaviour management plan should

- Enable the school to set behavioural goals with the pupil and their parents;
- Give school staff an opportunity to plan interventions;
- Impress on a pupil and their parents the seriousness of the behaviour.

Where Suspension is imposed, it is to be proportionate to the behaviour that is causing concern. The decision to suspend a pupil requires serious grounds such as that:

- *The pupil's behaviour has had a seriously detrimental effect on the education of other pupils;*
- *The pupil's continued presence in the school at this time constitutes a threat to safety;*
- *The pupil is responsible for serious damage to property or guilty or repeated physical/verbal aggression towards members of the school community*

A single incident of serious misconduct may be grounds for suspension.

Factors to be considered before suspending a pupil:

- The nature and seriousness of the behaviour;

- The context of the behaviour;
- The impact of the behaviour;
- The interventions tried to date;
- Whether suspension is a proportionate response;
- The possible impact of suspension.

Forms of Suspension

Immediate Suspension: In exceptional circumstances, the Principal may consider an immediate suspension to be necessary where the continued presence of the pupil in the school at the time would represent a serious threat to the safety of pupils or staff of the school, or any other person. Fair procedures as outlined above must be applied. (NEWB Guidelines for Schools p 73)

Automatic Suspension:

A Board of management may decide, as part of the school's policy on sanctions, and following the consultation process with the Principal, parents, teachers and pupils, that particular behaviours incur suspension as a sanction. (NEWB Guidelines for Schools p 73)

The following breaches of discipline will merit an automatic suspension:

- Bullying, including Cyberbullying, where repeated offending has occurred
- Leaving the school premises during school day without the permission of the Teacher, Deputy Principal or Principal;
- Endangering self or fellow pupils in the school environ;
- Bringing weapons, drugs or alcohol to school;
- Any action that is physically or verbally injurious to another member of the school community including the dissemination of any explicit or defamatory material that could be grossly offensive to a member of the school community.

Procedures in Respect of Suspension

- A preliminary investigation should be conducted to establish the case for the imposition of the suspension.
- The formal investigation into the circumstances that led to the suspension, should immediately follow the imposition of the suspension.
- Inform the pupil and parents about the complaint;
- Give the parents and the pupil a chance to respond.
- The school may inform the parents by telephone or in writing depending on the circumstances in question and the parents will be given an opportunity to respond before the decision is made and before any sanction is imposed. Fair procedures as listed above will be followed.

Implementing the Suspension

The Principal will notify the parents in writing of the intention to suspend. The letter should confirm:

1. The duration of the suspension and the dates on which the suspension will begin and end;
2. The reasons for suspension;
3. Any programme of school work that should be followed;
4. The arrangements for returning to school including any commitments that should be entered into by the pupil and the parents;
5. The provision for an appeal to the Board;
6. The right to appeal the decision to the Secretary General of the DES.

Procedures In Respect Of Immediate Suspension

Where the decision has been taken and the sanction of immediate suspension has been imposed for the safety of the pupil or for the well-being of other members of the school community, the parents may respond to the sanction. The imposition of the sanction will remain in place. The duration of the suspension will be decided by the Principal and will be proportionate to the alleged offence committed.

- A preliminary investigation will be conducted to establish the case for the imposition of the suspension.
- The formal investigation into the circumstances that led to the suspension, should immediately follow the imposition of the suspension.
- Parents will be notified and arrangements will be made for the pupil to be collected as the school must have regard to its duty of care for the pupil. (*NEWB Guidelines for Schools p 75*)
- Once the imposition of the suspension has taken place, steps 1-6 above will be followed.

The Period of Suspension

Rule 130- Rules for National Schools (5) *Where the Board of management deems it necessary to make provision in the code of discipline to deal with continuously disruptive pupils, or with a serious breach of discipline, by authorising the chairperson or principal to exclude a pupil from school, the maximum initial period of such exclusion shall be three school days. A special decision of the BoM is necessary to authorise a further period up to 10 school days to allow for consultation with the child's parent(s) or guardians(s).* (Managing Challenging Behaviour appendix 1)

If a period of suspension longer than three days is proposed by the Principal, the matter will be referred to the Board for consideration and approval, given the circumstances and the expected outcomes. However, the Board of Management has further authorised the Principal, with the approval of the Chairperson, to impose a suspension of up five days in circumstances where a meeting of the Board cannot be convened in a timely fashion, subject to the guidance concerning such suspensions. (*NEWB Guidelines for Schools p 75*) The Board places a ceiling of ten days on any one period of suspension imposed by it. (*Rules for National Schools 130 (5)*)

The Board will formally review any proposal to suspend a pupil, where the suspension would bring the number of days for which the pupil has been suspended in the current school year to 20 days or more. Any such suspension is subject to appeal under section 29 of the Education Act 1998. (*NEWB Guidelines for Schools p 76*).

Before serious sanctions such as suspension or expulsion are used, the procedures outlined above will have been followed. The normal channels of communication between school and parents will be utilised. Communication with parents may be verbal or by letter depending on the circumstances.

Repeated Offence

Where there are repeated instances of serious or gross misbehaviour, the Chairperson of the Board of Management will be informed and the parents will be requested in

writing to attend at the school to meet the Chairperson and the Principal. Prior to suspension, where possible, the Principal may review the case in consultation with teachers and other members of the school community involved, with due regard to records of previous misbehaviours, their pattern and context, sanctions and other interventions used and their outcomes and any relevant medical information.

Notification of the Education Welfare Officer

The Education Welfare Act (2000) obliges the school to notify in writing the Education Welfare Board (Túsla and Education Welfare Officer) of instances where pupils have been suspended for 6 days or more (cumulatively) and proscribes schools from expelling pupils until 20 days have elapsed following the notification to the Education Welfare Board (Túsla) via the EWO. (*The EWO may be notified by way of the returns sent to Túsla at the end of each term.*)

Appeals

The Board of Management will offer the opportunity to appeal the decision to suspend a pupil. Where the total number of days for which the pupil is suspended reaches twenty days in the current school year, the parents may appeal the suspension under Section 29 of the Education Act 1998 as amended by the Education (Miscellaneous Provisions) Act 2007. At the time when the parents are being formally notified of such a suspension, they should be told about their right to appeal to the Secretary General of the Department of Education and Science and should be given information about how to appeal. See Circular letter M48/01 Appeal Procedures Under Section 29 of the Education Act, 1998 at the Department of Education and Science website at www.education.ie for full details.

Removal of Suspension (Reinstatement)

Following or during a period of suspension, the parents/guardians may apply to have the pupil reinstated to the school. They must give a satisfactory undertaking that a

suspended pupil will behave in accordance with the school Code of Behaviour and the Principal must be satisfied that the pupil's reinstatement will not constitute a risk to the pupil's own safety or that of the other pupils or staff. The Principal will facilitate the preparation of a behaviour plan for the pupil if required and will re-admit the pupil formally to the class.

Expulsion

Expulsion may be considered in an extreme case, in accordance with the Rules for National Schools and the Education Welfare Act 2000. Before expelling a pupil, the Board shall notify the local Education Welfare Officer in writing in accordance with Section 24 of the Education Welfare Act. *Rule 130 Rules for National Schools.*

A pupil is expelled from a school when a Board of Management makes a decision to permanently exclude him or her from the school having complied with the provisions of Section 24 of the Education (Welfare) Act 2000.

In line with the Education (Welfare) Act, the school reserves the right to impose a suspension or expulsion on a pupil from school activities where:

- **The pupil's behaviour is a persistent cause of significant disruption to the learning of others or to the teaching process;**
- **The pupil's continued presence constitutes a real and significant threat to safety;**
- **The pupil is responsible for serious damage to property.**

Where expulsion is considered, the school authorities will generally have tried a series of other interventions and believe that they have exhausted all possibilities for changing the pupil's behaviour. These will include:

- Meeting with parents and the pupil to try to find ways of helping the pupil to change their behaviour;
- Ensuring that the pupil understands the possible consequences of their behaviour should they persist;
- Ensure that other possibilities have been tried;
- Seeking the assistance of support agencies such as NEPS, CAMHS, NCSE and the National Behaviour Support Service.

Expulsion for a First Offence

The Board notes that the NEWB (TUSLA) lists the following for possible inclusion in a list of single breaches of discipline that may lead to expulsion:

- A serious threat of violence against another pupil or member of staff;
- Actual violence or physical assault;
- Supplying illegal drugs to other pupils in the school;

- Sexual assault.

Factors to be Considered Before Proposing to Expel a Pupil

(Listed NEWB (TUSLA) Guidelines for Schools p 82 under the following headings)

1. The nature and seriousness of the behaviour
2. The context of the behaviour
3. The impact of the behaviour
4. The interventions to date
5. Whether expulsion is a proportional response
6. The possible impact of expulsion

Procedures in Respect of Expulsion

(as listed by the (NEWB Guidelines for Schools chapter 12 and summarised here.)

Step 1: A detailed investigation is carried out under the direction of the Principal.

The Principal will:

- Inform the parents and the pupil in writing about the details of the alleged misbehaviour, how it will be investigated and that it could result in expulsion.
- Give parents and the pupil every opportunity to respond to the complaint of serious misbehaviour before a decision is made and before a sanction is imposed.
- Where expulsion may result from an investigation, the parents will be afforded the opportunity to respond to the complaint of serious misbehaviour before a decision is made about the veracity of the allegation.

Step 2: A recommendation to the Board is made by the Principal

The Principal will:

- Inform the parents that the Board of Management is being asked to consider expulsion.
- Ensure that the parents have records of the allegations made against the pupil, the investigation itself and written notice of the grounds on which the Board is being asked to consider expulsion.
- Provide the Board with a copy of the same records as are given to the parents
- Notify the parents of the date of the hearing and invite them to the hearing
- Advise the parents that they can make a written and oral submission to the Board of Management
- Ensure that the parents have enough notice to allow them time to prepare for the hearing.

Step 3: Consideration by the Board of Management of the Principal's recommendation and the holding of a hearing

- It is the responsibility of the Board to review the initial investigation and satisfy itself that the investigation was properly conducted in line with procedures.
- The Board should undertake its own review of all documentation and the circumstances of the case.
- Where the Board decides to consider expelling a pupil, it must hold a hearing.
- At the hearing, the Principal and the parents put their case to the Board in each other's presence. Each party should be allowed to question the evidence of the other party directly.
- In the conduct of the hearing, the Board must take care to ensure that they are and are seen to be impartial as between the Principal and the pupil. Parents may wish to be accompanied at hearings and the Board should facilitate this in line with good practice and Board procedures.

Step 4: Board deliberations and actions following the meeting

- Having heard from all of the parties, the Board must decide whether or not the allegation is substantiated and, if so, whether or not expulsion is the appropriate sanction.
- Where the opinion of the Board is that the pupil should be expelled, the Board must notify the Education Welfare Officer in writing of its opinion and the reasons for this opinion. (Education (Welfare) Act 2000, s24(1)).
- The pupil cannot be expelled before the passage of 20 school days from the date on which the EWO receives this written notification. (Education (Welfare) Act 2000, s24(1)).
- The Board should inform the parents in writing about its conclusions and the next steps in the process. Where expulsion is proposed, the parents should be told that the Board will now inform the Education Welfare Officer (EWO).

Step 5: Consultations arranged by the EWO

Within 20 days of receipt of the notification from the Board of Management of its opinion that a pupil should be expelled, the EWO must:

- Make all reasonable efforts to hold individual consultations with the Principal, the parents and the pupil and anyone else who may be of assistance.
- Convene a meeting of those parties who agree to attend. (Education (Welfare) Act 2000, section 24).
- In the interests of the educational welfare of the child, those who come together should with the EWO, plan for the pupil's future education.
- Pending these consultations, the Board may take steps to ensure that good order is maintained and that the safety of pupils is secured (Education (Welfare) Act 2000, s24(5)).
- The Board may consider it appropriate to suspend a pupil during this time. The suspension should only be considered if the presence of the pupil during this time will seriously disrupt the learning of others, or represent a threat to the safety of other pupils or staff.

Confirmation of the Decision to Expel

- Where the 20 day period following notification to the EWO has elapsed and where the Board of Management remains of the view that the pupil is to be expelled, the Board should formally confirm the decision to expel. This task may be delegated to the Chairperson or the Principal.
- Parents should be notified immediately that the expulsion will now proceed.
- The Parents should be told of the right to appeal and be supplied with the standard form on which to lodge an appeal.
- A formal record should be made in the minutes of the Board of the decision to expel a pupil.

Appeals

A parent may appeal a decision to expel to the Secretary General of the Department of Education and Science (Education Act 1998 section 29). An appeal may be brought by the NEWB (TÚSLA) on behalf of a pupil. The process begins with the provision of mediation by a mediator nominated by the Appeals Committee (DES)

SUMMARY:

The procedures will include:

1. A detailed investigation will be carried out under the direction of the Principal.
2. A recommendation to the Board of Management to expel the pupil is made by the Principal.
3. Consideration by the Board of the Principal's recommendation and the holding of a hearing.
4. The deliberations of the Board will be recorded and the actions proposed following such a hearing.
5. Consultations will be held with the Education Welfare Officer.
6. Confirmation of the decision to expel will be recorded and communicated to the parents and TUSLA in writing.
7. The parents may appeal the decision to the Secretary General of the DES.

This policy was drawn up and written by after extensive consultation with all members of the school teaching staff , Board of Management and Parent's Council. May / June

The policy will be reviewed

The policy was ratified by the staff and Board of Management on

